

AMENDED IN SENATE MAY 2, 2005
AMENDED IN SENATE MARCH 29, 2005

SENATE BILL

No. 260

Introduced by Senator Denham
(Coauthor: Senator Ducheny)
(Coauthors: Assembly Members Cogdill and Shirley Horton)

February 15, 2005

An act to add and repeal Section 48911.3 of the Education Code, relating to school attendance.

LEGISLATIVE COUNSEL'S DIGEST

SB 260, as amended, Denham. Education finance: average daily attendance: apportionments.

Existing law authorizes a school district to assign a pupil suspended from school to a supervised suspension classroom under certain circumstances and authorizes the school district to continue to claim apportionments for each pupil assigned to and attending a supervised suspension classroom if, among other things, the classroom is staffed by an employee of the district who possesses a valid certification document. Existing law authorizes the governing board of a school district to suspend the enforcement of an expulsion order and assign a pupil to a rehabilitative school, class, or program and authorizes apportionments for the attendance of pupils in those rehabilitative settings if the pupil is under the immediate supervision of a person who shares the responsibility for the supervision of the pupils in the rehabilitative activities with certificated personnel of the school district.

This bill would, notwithstanding those provisions, and until July 1, 2011, ~~authorize the governing board of any school district within Lake County, San Diego County, and Stanislaus County to request approval~~

~~from~~ require the State Board of Education to *select 50 school districts that may* claim apportionments for the attendance of pupils attending a suspension classroom staffed by a noncertificated school employee, provided that a pupil attending the suspension classroom is allowed to complete for credit any assignments or tests that would otherwise be missed during the period of suspension, the apportionments are for no more than 5 pupils per day, a certificated employee monitors the classroom at least 2 times per day, *as specified*, and apportionments for a particular pupil are claimed for no more than 10 days per academic year.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 48911.3 is added to the Education
2 Code, to read:
3 ~~48911.3. (a) Notwithstanding Section 48911.1, the governing~~
4 ~~board of any school district within Lake County, San Diego~~
5 ~~County, and Stanislaus County may, on a pilot program basis,~~
6 ~~request approval from the State Board of Education to claim~~
7 ~~48911.3. (a) (1) Notwithstanding Section 48911.1, the State~~
8 ~~Board of Education shall select 50 school districts, distributed by~~
9 ~~school district size and geographically throughout the state, on a~~
10 ~~pilot program basis, that may claim~~ apportionments for the
11 attendance of pupils attending a suspension classroom staffed by
12 a noncertificated school employee if the pupils attending the
13 suspension classroom are allowed to complete for credit any
14 assignments or tests that would otherwise be missed during the
15 period of suspension and all of the following conditions are met:
16 ~~(1)~~
17 (A) Apportionments are claimed for no more than five pupils
18 per day.
19 ~~(2)~~
20 (B) A certificated employee monitors the classroom not less
21 than two times per day, *ensuring, at a minimum, that pupils are*
22 *making progress in completing schoolwork and tests missed*
23 *during the suspension.*
24 ~~(3)~~

1 (C) Apportionments are not claimed for a particular pupil for
2 more than 10 days in an academic year.

3 (2) *The governing board of each school district that claims*
4 *apportionments pursuant to this section shall describe to the*
5 *state board the duties of the certificated employee who monitors*
6 *a classroom pursuant to subparagraph (B) of paragraph (1).*

7 (b) (1) No later than January 1, 2011, the governing board of a
8 school district that ~~receives approval to claim~~ *claims*
9 apportionments pursuant to this section shall submit a report to
10 all of the following regarding the fiscal impact of this section:

11 (A) The Superintendent.

12 (B) The Secretary for Education.

13 (C) The President Pro Tempore of the Senate.

14 (D) The Speaker of the Assembly.

15 (E) The minority leader of the Senate.

16 (F) The minority leader of the Assembly.

17 (2) The report required by this subdivision may be transmitted
18 by electronic means.

19 (c) This section shall become inoperative on July 1, 2011, and,
20 as of January 1, 2012, is repealed, unless a later enacted statute;
21 that becomes operative on or before January 1, 2012, deletes or
22 extends the dates on which it becomes inoperative and is
23 repealed.